

Xerox Docket No. A1188Q-US-NP

2/1  
EPW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrick BAUDISCH et al.

Group Art Unit: 2173

Application No.: 10/015,642

Examiner: M. Roswell

Filed: December 17, 2001

Docket No.: 132954.01

For: METHODS OF USING MIXED RESOLUTION DISPLAYS

**RENEWED PETITION UNDER 37 C.F.R. §1.181 FOR WITHDRAWAL  
OF ABANDONMENT BASED ON NON-RECEIPT OF OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Mail Stop: Petition  
ATTN: John J. Gillion, Jr.  
Senior Attorney

Sir:

In response to the July 16 Decision, Petitioner hereby renews Petitioner's request that the holding of abandonment of the above-referenced application be withdrawn.

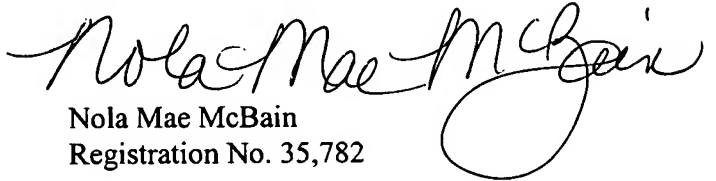
A non-final Office Action for the above-identified application was mailed on January 19, 2006. However, the January 19, 2006 Office Action was not received by Petitioner. Petitioner filed a Petition for Withdrawal of Abandonment for Failure to Receive An Office Action on November 16, 2006. The July 16, 2007 Decision dismissed the November 16, 2006 Petition on the grounds that the Petition failed to clearly indicate (1) who made the search of the file jacket and docket records and (2) that the person making the statement is the one who performed the search.

Pursuant to MPEP §711.03(c), a search of the jacket file and docket records was conducted by the undersigned. I confirm that the January 19 Office Action was not received prior to abandonment of the application. Because the January 19 Office Action was not

received, the holding of abandonment was unavoidable. Copies of the cover of the docket file, log books, and automated docketing system events list, each annotated to show where the January 19, 2006 Office Action would have been entered if it had been received, are attached.

Petitioner respectfully requests the granting of this Petition and the re-mailing of the Office Action.

Respectfully submitted,

  
Nola Mae McBain  
Registration No. 35,782

NMM:JHB/gml

Attachments:

Copy of docket file wrapper  
Docketing System Printout  
Docketing System Events List  
Copy of log books

Date: August 5, 2007

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p><b>DEPOSIT ACCOUNT USE AUTHORIZATION</b> Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037</p>
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# XEROX CORPORATION

## DOCKET FILE WRAPPER



Patent No. \_\_\_\_\_

Granted: \_\_\_\_/\_\_\_\_/\_\_\_\_

Applicant(s): Baudisch et. al.

Title: \_\_\_\_\_

Drawings: ☒ Informal 6,17,02 Formal (Date Filed)

Serial No.: 101015642

Filing Date: 12-17-2001

CIP / Continuation / Divisional of Application Serial No.: \_\_\_\_\_ Filed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Final Fee Sent \_\_\_\_/\_\_\_\_/\_\_\_\_ Assignment Recorded \_\_\_\_/\_\_\_\_/\_\_\_\_ [Reel \_\_\_\_ Frame \_\_\_\_]

Foreign Priority Claimed: Appl. No. \_\_\_\_\_ Country \_\_\_\_\_ Date \_\_\_\_/\_\_\_\_/\_\_\_\_

Foreign Filing Program (Circle Countries):

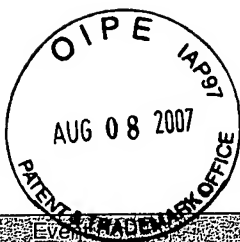
- CAN MEX BRA ARG \_\_\_\_\_
- EPO / NAT: GRB GER FRA ITL SPN HOL GRK SWD BEL STZ ATR \_\_\_\_\_
- NOR DNK PTG \_\_\_\_\_
- JPN CHN KOR TIW AUS \_\_\_\_\_

Description of Incoming Paper	Date Due	Description of Outgoing Paper
		miss parts } 3/21/02
		Assignment }
		EOT
		resent assign 6/18/02
		Formal OWGS 6/17/02
		IDS 9-16-02
		resubmit assign paperwork
		10/30/2002
		Flowported to Pat Smith
		3/10/2003
if received, OA mailed on v/19/2006 would have been logged here →		Amend & EOT: IDS 1/25/2005
		KCe/Amend/EOT 10/18/05
		Supplemental IDS +
		1449 w/ 4 Reference 8/22/06

Assigned Attorney/Agent: NM



Patent application [5/5]	
File number	Country
Internal reference A1188Q	Type
Patent ID 54589	Attorney MCBAIN NOLA MAE
Main   Owners   Agents   Keywords   Interoffice proceedings   Disputes   Licenses   Keepers   Business	
Division / Site	IP Site XEROX Patents
Agents	Outside Counsel
Annuitant	United States Patent & Trademark Office
Foreign	
Status	Legal XEROX IS RESPONSIBLE
Prosecution Status	Pending
Processed by	
Current status	Event
Critical dates	Date
Filing	17/DEC/2001
Publication	14/NOV/2002
Grant	
End	
Next actions due	Event
Expiry date	17/DEC/2021
Main events	Event
Deadline	17/DEC/2021
Short title	Number
Expiry	17/DEC/2021
Priority	
Next annuity due	
Date	
N°	
Licence of rights	
Small Entity	
Expiry	17/DEC/2021
Total Claims	
Pages	
Annuitants to be paid	
Opposition	
Keeper	
Number	10/015642



09/22/2006

Docketing system (A1188Q-UNITED STATES OF AMERICA-

Event	Nature	Due date	Reminder	Performed	C	Acknowledg	Amount USD
Open				13/DEC/2001	<input checked="" type="checkbox"/>		
Sent to PTO				14/DEC/2001	<input checked="" type="checkbox"/>		
Filing	10/015642			17/DEC/2001	<input checked="" type="checkbox"/>		
Recorded Assignment	412-413			17/DEC/2001	<input checked="" type="checkbox"/>		
Notice of Missing Parts	Not of Missing Parts			17/JAN/2002	<input checked="" type="checkbox"/>		
Miscellaneous - Docketing	FOREIGN FILING RE			07/FEB/2002	<input checked="" type="checkbox"/>		
Declaration	Declaration	17/MAR/2002			<input checked="" type="checkbox"/>		
Assignments	Assignment-Record	17/MAR/2002		21/MAR/2002	<input checked="" type="checkbox"/>		
Extension	Pet extnsn of time			21/MAR/2002	<input checked="" type="checkbox"/>		
Declaration	Declaration	17/APR/2002		21/MAR/2002	<input checked="" type="checkbox"/>		
Miscellaneous - Incoming	Misc Action Receive			31/MAY/2002	<input checked="" type="checkbox"/>		
Drawings	Prpsd Drawg Corr	14/SEP/2002		17/JUN/2002	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record	30/JUN/2002		17/JUN/2002	<input checked="" type="checkbox"/>		
Information disclosure statement	Info Disclosure Stmt	14/MAR/2002		16/SEP/2002	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record			30/OCT/2002	<input checked="" type="checkbox"/>		
Publication	20020167460			14/NOV/2002	<input checked="" type="checkbox"/>		
Recorded Assignment	774-775			28/FEB/2003	<input checked="" type="checkbox"/>		
Assignments	Assignment-Record			10/MAR/2003	<input checked="" type="checkbox"/>		
Office action	1st			13/AUG/2004	<input checked="" type="checkbox"/>		0.00
Extension	3 Months			25/JAN/2005	<input checked="" type="checkbox"/>		
Amendment		13/NOV/2004		25/JAN/2005	<input checked="" type="checkbox"/>		0.00
Information disclosure statement	Post 1st OA			25/JAN/2005	<input checked="" type="checkbox"/>		
Final Office Action				21/APR/2005	<input checked="" type="checkbox"/>		
Notice of Appeal		21/JUL/2005			<input checked="" type="checkbox"/>		0.00
Pre-Appeal Brief Request for Review		21/JUL/2005			<input checked="" type="checkbox"/>		0.00
Amendment	116	21/MAY/2005		18/OCT/2005	<input checked="" type="checkbox"/>		0.00
Request for continued examination				18/OCT/2005	<input checked="" type="checkbox"/>		
Extension	3 mo.			18/OCT/2005	<input checked="" type="checkbox"/>		
Statutory Abandonment	FNL noa	21/OCT/2005			<input checked="" type="checkbox"/>		0.00
Supplemental Information Disclosur				22/AUG/2006	<input checked="" type="checkbox"/>		
Expiry date		17/DEC/2021			<input checked="" type="checkbox"/>		
Filing receipt					<input checked="" type="checkbox"/>		
CONVERSION NOTES					<input checked="" type="checkbox"/>		

if received OA would have been logged here

Line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
1	A 4043-US-NP	ZS3			ckci	1-3			180 suppl ✓
2	A 3632-US-NP	M-Q			Cj	1-4			Fixed ✓
3	A 1061-US-NP	R-H			bad	1-5			new fig 3 ✓
4	A 2080-US-NP	R-H	AA	1-3			BA	4-3	✓
5	A 1141-US-NP	MAGNOL	AT	12-28			AT	1-28	✓
6	A 6022 Q1-US-NP	CDW	AK AH	1-3			FF	4-3	✓
7	A 2118-US-NP	JMY			nc	1-5-06			790 ✓
8	A 3384 Q-US-NP	JUB			ckci	1-6			suppl ✓
9	A 3383 Q-US-NP	JUB			ckci	1-6			suppl ✓
10	A 3384-US-NP	JUB			ckci	1-6			suppl ✓
11	A 3383 Q-US-NP	JUB			ckci	1-6			suppl ✓
12	A 3334-US-NP	TSM			ckci	1-6			suppl ✓
13	A 3346-US-NP	TSM			ckci	1-6			suppl ✓
14	A 3012-US-NP	LMR			MS-out	1-6			status inquiry ✓
15	A 1450-US-NP	JAW			ckci	1-6			ex-120 fixed ✓
16	A 2569 Q-US-NP	DOTA			ba	1-6			Fixed ✓
17	A 3245-US-NP	CDW			ckci	1-9			✓
18	A 2031654-US-NP	WJOE			ckci	1-9			✓
19	A 3600-US-NP	KVME			ckci	1-9			ex-120 ba 200 ✓
20	A 3598-US-NP	KVME			ckci	1-9			ex-120 ✓

Line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
21	A0840-45-NP	JMY			ncba	1-9			FIXED nce-790v
22	20041607-45-NP	JCB			Cjai	1-10			
23	20050828-45-NP	JCB			Cjai	1-10			
24	20051320-45-NP	JCB			Cjai	1-10			
25	A3407-45-NP	M-Q			C	1-10			FIXED
26	A12268-45-CEP				CR	1-10			FIXED
27	A2584-45-NP	M-Q			CS(Ci)	1-11			
28	A2584Q-45-NP	M-Q			CS(Ci)	1-11			
29	98437-45-NP	RDP			DA	1-10			DA-500
30	A2177-45-AEP	JCB			BF	1-10			2/22/16 FAXED
31	A3401-45-NP	ZSS			BF, ROE, EX	1-11			RCE = 790V EXT = 120V DOCKETED-DLK
32	20041266-45-NP	JCB			Cjai	1-12			
33	20041193-45-NP	JCB			Cjai	1-12			
34	20041582Q-45-NP	JCB			Cjai	1-12			2/1/16
35	20041194-45-NP	JCB			Cjai	1-12			
36	20041582-45-NP	JCB			Cjai	1-12			
37	A3201-45-NP	JMY			CR	1-11			FIXED
38	A1357-45-NP	JMY			CS	1-11			FIXED
39	A1553-45-NP	JMY			bax	1-11			FIXED ex 120V
40	20040824-45-NP	ZSS			baex	1-12			FIXED

Line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
41	20040474-US-NP	LMR			ba	1-12			Fixed ✓
42	A3013-US-NP	LMR			ba, dec, FS, BE	1-12			Fixed ✓ FS-130 Dec 132
43	20031723QUSNP	KMC			ex ba	1-12			EX-120 Fixed ✓
44	A3494-US-NP	KMC			CP	1-12			Fixed ✓
45	A2211-US-NP	AOR			ba	1-13			Fixed ✓
46	A4029-US-NP	PFM			ba CJ	1-13			Fixed ✓
47	93599-US-Div1	JMB			mce	1-13			mce 790 Fixed ✓
48	20031326-US-NP	KMC			ba ex	1-13			Fixed EX-120 ✓
49	A1031-US-NP	JMY			ba	1-12			Fixed ✓
50	A280250-US-NP	LCB			ba ba	1-17			Fixed ✓
51	A4048-US-NP	CDH			CSA	1-18			✓
52	A4048Q-US-NP	CDH			CSA	1-18			✓
53	A3316-US-NP	KMC			ex ba	1-17			EX-120 ✓
54	A0003-US-NP	KMC			mce ex	1-17			EX-120 ✓ mce 790 ✓
55	A4118-US-NP	JMY			CJ	1-17			CJ 180 ✓
56	A3633-US-NP	JMY			CJ	1-17			✓
57	A2497-US-CNT	JMY			ba	1-18			Fixed mce ✓
58	A0489Q-US-NP	KMC			df	1-18			Fixed ✓
59	A4744-US-NP	JMY			ba	1-18			Fixed ✓
60	A0461-US-NP	DAL			ba	1-18			Fixed, Reply Dried ✓

Line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
61	A3126-US-NP	JMA			DA	1-19			ex-120 FAXed ✓
62	A0059Q-US-NP	JMA			DA	1-19			04-500 FAXed ✓
63	A3393Q1-US-NP	JMB			DA	1-20			
64	A3383-US-NP	JMB			DA	1-23			would have ✓
65	A2210-US-NP	ROD			MS	1-24			FAXed per dm states ✓
66	A2341Q1-US-NP	JMB			DA	1-24			below the ✓
67	A2177-US-DIV	JMB			BF	1-24			yellow ✓
68	99017-US-CAP	ROD			DA	1-25			incl ✓
69	A1387Q-US-NP	ROD			DA	1-25			1C200ec 50 ✓
70	A1490-US-NP				DA	1-24			Cj-180 ✓
71	A149Q-US-NP				DA	1-24			Cj-180 ✓
72	A1547-US-DIV	JMA			DA	1-25			FAXed ✓
73	98764Q3-US-NP	DBL			DA	1-23			✓
74	A1311Q-US-NP	JMA			DA	1-25			FAXed ✓
75	A3195-US-NP	JMA			DA	1-26			FAXed ✓
76	A512135 A149Q-US-NP	DBA			MS	1-26			response FAXed re missing ✓
77	A10925Q-US-NP	WDE			DA	1-25			FAXed suppl ✓
78	99678-US-NP	ROD			BF	1-19			edited ✓
79	A0460Q-US-NP	DOC			DA	1-27			cert pan ✓
80	A1199Q-US-NP	DBL			DA	1-27			rc-790 ✓

[illegible]

JAN 2006

running under way

line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
1	A 1189	JMY	OA	12/28/05			Amd	3/28/06	
2	A 3251	ZS	OA	12/29/05			Amd	3/29/06	
3	A 3412	CDW	1 <sup>st</sup> OA	12/30/05			Amd	3/30/06	
4	A 4043	ZS	OA	12/29/05			Amd	3/29/06	
5	A 1022 G1	ALB	OA	12/29/05			Amd	3/29/06	
6	A 3150	ZS	OA	12/29/05			Amd	3/29/06	
7	A 1458 Q	MD	1 <sup>st</sup> OA	12/29/05			Amd	3/29/06	
8	A 6044	DBC	Ex Amd NO Allow	12/29/05			Fees	3/29/06	
9	A 1531	ALB	No Allow	12/28/05			Fees	3/28/06	
10	A 2232	JMY	OA	12/30/05			Amd	3/30/06	
11	A 1141	MAN/RL			Amd	12/27/05			
12	A 2375	FBF/LFB	Allow. Fees +	1/4/06			Fees	4/4/06	sent to FBF.
13	20040806-US-OP	DJA	Quayle OA	1/4/06			Draw Corr/Amd	3/4/06	Copy to Ullust.
14	A 3117	FBF/EOP	FNL OA	1/4/06			116 NOA	4/4/06	sent to FBF.
15	20040818-US-OP	DJA	Quayle OA	1/4/06			Draw Corr/Amd	3/4/06	Copy to Ullust.
16	20040805-US-OP	DJA	Quayle OA	1/4/06			Draw Corr/Amd	3/4/06	Copy to Ullust.
17	A 1103-US-REI	KMC	OA	1/4/06			Amd	4/4/06	
18	DSA 3573	JMY	FNL	1/3/06			Draw Corr 116 NOA	2/3/06	Copy to Ullust.
19	A 1449 Q	MZD	FNL	1/5/06			Draw Corr 116 NOA	2/5/06	Copy to Ullust.
20	A 2262	EOP	Ex Amd Intervening	1/5/06			N/R	-	Amd and/or by EOP

ne #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
1	9359901	JLB	Adv Act	1/5/06					
2	20040820-US-AP	DJA	Ex And Allow	1/6/06			drwp fees	1/6/06 4/6/06	
3	20040824	ZS	RREQ	1/6/06			Elec of Claims	2/6/06	
4	A2497-US-CNT	JMY	RREQ	1/6/06			Elec of Claims	2/6/06	
5	87324I DIV	JLB	NABD	1/5/06			N/R		COS ab. 1/05
6	20031723.	KMC	AREQ	1/4/06			Elec of Claims	2/4/06	
7	20050706	PAZ	NH4PAs	1/6/06			ASs Dec	3/6 3/6	
8	A2087Q	KMC	Not. Revised	1/5/06			N/R		Rescinded Abd.
9	99242QI DIV	KMC	OA	1/6/06			Amd	4/6/06	
10	20040801-US-DP	DJA	Qualg OA	1/6/06			Drwp amd	2/6/06 3/6/06	
11	AOA87	JMW	OA	1/9/06			Amd	4/9/06	
12	A2483	ZS	POA	1/10/06					(Phillips)
13	A3233Q	ALB	Misc (non)	1/10/06			Drwp	2/6/06	Drwp inconsistency copy to education.
14	A1597	LME	312 entered	1/10/06					
15	A2012	JMW	FNL OA	1/10/06			116 NOA	2/10/06 4/10/06	
16	A3356	Tz	1st OA	1/10/06			Amd	4/10/06	
17	A2224	COW	1st OA	1/10/06			Amd	4/10/06	
18	A3312	JMY	1st OA	1/10/06			Amd	4/10/06	
19	A1001	WAT/LFB	FNL OA	1/10/06			Drwp 116 NOA	2/10/06 4/10/06	Copy to WAT email copy to WAT.
20	20031663	R-H	OA	1/10/06			Drwp Amd	4/10/06	Copy to Sellers.

✓ JHV 6606

ne #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
f1	A0359Q	JLB	1st OA	1/10/06			And	4/10/06	
f2	A2349	DF/EP	OA	1/10/06			And	4/10/06	Copy shld to OCF
f3	A1505-US-DIV	JLB	OA	1/10/06			And	4/10/06	
f4	A1022Q3	ALB	OA	1/10/06			And	4/10/06	
f5	99458	JMLW	OA	1/11/06			And	4/11/06	
f6	A2018	MM/RH			SIDS	1/11/06			
f7	A1199	DBC	FNLOA	1/11/06			116 - NOA	2/11/06 4/11/06	
f8	A0477Q3-US-DIV	BF/LFB	OA	1/11/06			And	4/11/06	send to FBF
f9	A4015-US-NP	PW1/R-H	PREG	12/14/05	Eligibility	1/14/06			
f10	A3138-US-NP	R-H	Allowance	1/13/06			Grant for	4/13/06	
f11	A3213-US-NP	TIN	1st OA	1/12/06			And	4/12/06	Copy doctest
f12	A1465	R-H	1st OA	1/13/06			And	4/13/06	
f13	A1042	R-H	1st OA	1/13/06			And	4/13/06	
f14	A2382-US-DIV	ZS	NABD	1/11/06					(at-by COS 7/05)
f15	A2180	JMLW	NABD	1/11/06					(at-by COS 7/05)
f16	98235	CDW	Ret (granted)	1/12/06					abandonment withdrawn
f17	A1141	MM/RH	/		Ant-Sims Resp to	1/12/06			
f18	A3311	JMLY	1st OA	1/17/06			And	4/17/06	
f19	A1320	TBZ	FNLOA	1/17/06			116 - NOA	2/17/06 4/17/06	
f20	A1547	JMLY	FNLOA	1/17/06			116 - NOA	2/17/06 4/17/06	

JUN 2006

line #	Docket No.	Attorney	INCOMING		OUTGOING		RESPONSE DUE		COMMENTS
			Type	Date	Type	Date	Type	Date	
61	A 3196	JMY	Allow.	1/17/06			Fees	4/17/06	
62	20041995	COF/JHW			Rsp to discovery	1/12/06			Assign 40 ✓
63	A 3021	LF3	Ex Amd to Allow.	1/18/06			Fees.	4/18/06	
64	AOA230D	JLB	Misc (Exam includo Sum)	1/17/06			Rsp	2/17/06	
65	A 1578	LMR	GA	1/18/06			Amd	4/18/06	
66	A 2378	ALB	GA	1/18/06			Amd	4/18/06	
67	A 1320Q	TBZ	PARB	1/19/06					Decision - Proced to Appeal.
68	A 1320Q1	TBZ	PARB	1/19/06					Decision - Proced to Appeal.
69	A 4007	TIN	FNL OA	1/23/06			116 - NOA	2/23/06 - 4/23/06	if received OA would have been made below the yellow line
70	A 6041	DBC	FNL OA	1/20/06			116 - NOA	2/20/06 - 4/20/06	
71	A 4027	R-H	1st OA	1/20/06			Amd Effect of claim	4/20/06	
72	AOA23DD	JLB	RREQ	1/19/06				2/19/06	
73	A 1578T1	LMR	1st OA	1/18/06			Amd	4/18/06	
74	A 1690Q1	JMY	NABD	1/20/06					(abby cos 8/05)
75	ASA 3400Q2	DJA	Rsp to 312	1/20/06					
76	A 0306-US DIV	BR/JLB			SIDS	1/24/06			
77	A 0853	NIX/NMM	NHpts.	1/18/06			Acc Asy	3/18/06	
78	20050155	JHW	NHpts	1/23/06			Acc Asy	3/23/06	
79	20040304	R-H	1st OA	1/23/06			Corr Resp Amd	4/23/06	
80	A 2381	EOP	1st OA	1/23/06			Amd	4/23/06	

[illegible]